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PTO/SB/05 (11-00)

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# UTILITY PATENT APPLICATION TRANSMITTAL

*(Only for new nonprovisional applications under 37 CFR § 1.53(b))*

Attorney Docket No.	1533.1030002/SRL/SEZ
First Inventor	Paul D. Hanke
Title	Increased Lysine Production by Gene Amplification
Express Mail Label No.	

## APPLICATION ELEMENTS

*See MPEP chapter 600 concerning utility patent application contents.*

**ADDRESS TO:**  
Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

- |  |   |
|--|---|
| <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17)<br/><i>(Submit an original, and a duplicate for fee processing)</i></p> <p>2. <input type="checkbox"/> Applicant claims small entity status.<br/>See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages <u>79</u>]<br/><i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> <li>- Descriptive title of the Invention</li> <li>- Cross Reference to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (<i>if filed</i>)</li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> </p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>32</u>]</p> <p>5. Oath or Declaration [Total Pages <u>1</u>]           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br/><i>(for continuation/divisional with Box 17 completed)</i> <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br/>Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).</li> </ul> </li> </ul> </p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76.</p> | <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program<br/><i>(Appendix)</i></p> <p>8. Nucleotide and/or Amino Acid Sequence Submission<br/><i>(if applicable, all necessary)</i> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Computer Readable Form (CRF)</li> <li>b. Specification Sequence Listing on:               <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li> <li>ii. <input type="checkbox"/> paper</li> </ul> </li> <li>c. <input type="checkbox"/> Statements verifying identity of above copies</li> </ul> </p> |
|--|---|

## ACCOMPANYING APPLICATION PARTS

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of Attorney  
*(when there is an assignee)*
11.  English Translation Document *(if applicable)*
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Two Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16.  Request and Certification u under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: Authorization under 37 C.F.R. § 1.136(a)(3)

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation     Divisional     Continuation-in-Part (CIP)  
*Prior application information:* Examiner \_\_\_\_\_ of prior application No: \_\_\_\_\_ / \_\_\_\_\_  
*Group/Art Unit:* \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only upon when a portion has been inadvertently omitted from the submitted application parts.

## 18. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label  (Insert Customer No. or Attach bar code label here) or  Correspondence address below

NAME	STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.				
Attorneys at Law					
ADDRESS	Suite 600, 1100 New York Avenue, N.W.				
CITY	Washington	STATE	DC	ZIP CODE	20005-3934
COUNTRY	USA	TELEPHONE	(202) 371-2600		FAX (202) 371-2540

NAME (Print/Type)	Suzanne E. Ziska	Registration No. (Attorney/Agent)	43,371
SIGNATURE	<i>Suzanne E. Ziska</i>		

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$1556.00)

## Complete if Known

Application Number	To Be Assigned
Filing Date	November 28, 2000
First Named Inventor	Paul Hanke
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned
Attorney Docket No.	1533.1030002/SRL/SEZ

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number  
19-0036

Deposit Account Name  
Sterne, Kessler, Goldstein & Fox P.L.L.C.

Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

Applicant claims small entity status  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other\*

\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	
101	710	201	355 Utility filing fee	710.00
106	320	206	160 Design filing fee	
107	490	207	245 Plant filing fee	
108	710	208	355 Reissue filing fee	
114	150	214	75 Provisional filing fee	

SUBTOTAL (1) (\$ 710.00)

## 2. EXTRA CLAIM FEES

Extra	Fee from below	Fee Paid
Total Claims 67 - 20** = 47	X 18	= 846.00

Indep. Claims 3 - 3** = 0	X 0	= 0
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Multiple Dependent	=
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Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	80	202 40 Independent claims in excess of 3
104	270	204 135 Multiple dependent claim
108	80	209 40 **Reissue independent claims over original patent
110	18	210 9 **Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 846.00)

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description		Fee Code (\$)	Fee Code (\$)	Fee Description	Fee paid
		105	130	205	65	Surcharge - late filing fee or oath	
		127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
		139	130	139	130	Non-English specification	
		147	2,520	147	2,520	For filing a request for ex parte reexamination	
		112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
		115	110	215	55	Extension for reply within first month	
		116	390	216	195	Extension for reply within second month	
		117	890	217	445	Extension for reply within third month	
		118	1,390	218	695	Extension for reply within fourth month	
		128	1,890	228	945	Extension for reply within fifth month	
		119	310	219	155	Notice of Appeal	
		120	310	220	155	Filing a brief in support of an appeal	
		121	270	221	135	Request for oral hearing	
		138	1,510	138	1,510	Petition to institute a public use proceeding	
		140	110	240	55	Petition to revive - unavoidable	
		141	1,240	241	620	Petition to revive - unintentional	
		142	1,240	242	620	Utility issue fee (or reissue)	
		143	440	243	220	Design issue fee	
		144	600	244	300	Plant issue fee	
		122	130	122	130	Petitions to the Commissioner	
		123	130	123	130	Petitions related to provisional applications	
		126	180	126	180	Submission of Information Disclosure Stmt	
		581	40	481	40	Recording each patent assignment per property (times number of properties)	
		146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
		149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
		179	710	279	355	Request for Continued Examination (RCE)	
		169	900	169	900	Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ -0-

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Suzanne E. Ziska	Registration No. (Attorney/Agent)	43,371	Telephone	202-371-2600
Signature	Suzanne E. Ziska			Date	November 28 2000

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SKGF Rev. 11/13/00 mnc

1030002 fee

**STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.**

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • [www.skgf.com](http://www.skgf.com)

11/28/00  
JC891 U.S.  


JC841 U.S. PTO  
09/72441



11/28/00

ROBERT GREENE STERNE  
EDWARD J. KESSLER  
JOSE A. GOLDSTEIN  
SAMUEL L. FOX  
DAVID K.S. CORNWELL  
ROBERT W. EDMOND  
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MARK P. TERRY\*\*  
TARJA H. NAUKKARINEN\*\*

\*BAR OTHER THAN D.C.  
\*\*REGISTERED PATENT AGENTS

November 28, 2000

WRITER'S DIRECT NUMBER:  
(202) 218-7825  
INTERNET ADDRESS:  
[SZISKA@SKGF.COM](mailto:SZISKA@SKGF.COM)

Commissioner for Patents  
Washington, D.C. 20231

*Box Patent Application*

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)  
Appl. No. To Be Assigned; Filed: November 28, 2000  
For: **Increased Lysine Production by Gene Amplification**  
Inventors: Hanke *et al.*  
Our Ref: 1533.1030002

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office:

1. USPTO Utility Patent Application Transmittal Form PTO/SB/05;
2. U.S. Utility Patent Application entitled:

**Increased Lysine Production by Gene Amplification**

and naming as inventors:

**Paul D. Hanke  
Lhing-Yew Li-D'Elia  
John Rayapati**

the application comprising:

Commissioner for Patents  
November 28, 2000  
Page 2

- a. specification containing:
    - i. 66 pages of description prior to the claims;
    - ii. 12 pages of claims (67 claims);
    - iii. a one (1) page abstract;
  - b. 32 sheets of drawings: (Figures 1, 2, 3A, 3B, 4, 5A, 5B, 6-10, 11A, 11B, 12-14, 15A-15C, 16-20, 21A, 21B, 22-26);
- 
3. 37 C.F.R. § 1.136(a)(3) Authorization to Treat a Reply As Incorporating An Extension of Time;
  4. Fee Transmittal Letter PTO/SB/17;
  5. Our check no. 29413 for \$1556.00 to cover:  
\$710.00 filing fee;  
\$846.00 claims over 20.
  6. Two (2) return postcards.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

This patent application is being submitted under 37 C.F.R. § 1.53(b) without Declaration and without filing fee.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Suzanne E. Ziska  
Agent for Applicants  
Registration No. 43,371

SEZ:vcf

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JC841 U.S. PRO  
09/722441  
11/28/00

In re application of:

Hanke *et al.*

Appl. No. To Be Assigned

Filed: November 28, 2000

For: **Increased Lysine Production by  
Gene Amplification**

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 1533.1030002/SRL/SEZ

**Authorization To Treat A Reply As Incorporating An Extension Of Time  
Under 37 C.F.R. § 1.136(a)(3)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

*Suzanne E. Ziska*

Suzanne E. Ziska

Agent for Applicants

Registration No. 43,371

Date: November 28, 2000

1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934  
(202) 371-2600